

REMARKS

Claims 1-6, 9-28, 32-41 and 45-57 are pending in this application.

Claims 2 and 3 have been canceled without prejudice and claims 1 and 32 have been amended by the present Amendment. Amended claims 1 and 32 do not introduce any new subject matter.

CLAIMS 56 AND 57

Again, the Examiner has not specified any statutory rejection of claims 56 and 57, nor indicated any reasons as to why claims 56 and 57 are rejected. Accordingly, Applicant submits that the Examiner has failed to make a *prima facie* case of anticipation and/or obviousness of claims 56 and 57, and respectfully requests that the Examiner do so in the next office action, or allow claims 56 and 57.

REJECTIONS UNDER 35 U.S.C. § 103

Reconsideration is respectfully requested of the rejection of (1) claims 1-6 and 9-28 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Pub. No. 2002/0003571 ("Schofield") in view of WO 02/073964 ("Wong"), and further in view of U.S. Patent No. 6,097,448 ("Perkins"); and (2) claims 32-41 and 45-54 under 35 U.S.C. § 103(a) as being unpatentable over Schofield in view of Wong, and further in view of U.S. Patent Application Pub. No. 2004/0094588 ("Klein").

Claims 1 and 23 recite, *inter alia*, a video display device mounted to/for mounting to a visor that includes at least one strap that passes through a groove formed by a front wall and a back wall of the video display device, wherein top and bottom sides of the video display device connect the front and back walls to each other, and the top and bottom sides include respective holes therein for receiving the at least one strap

therethrough.

Claim 32 recites, *inter alia*, that the membrane includes a flap that is opened to provide an opening between one of the top, bottom, left and right sides of the body portion and the membrane through which the video display device is placed in the structure, and wherein the flap wraps around part of the body portion to close the opening, wherein the flap is removably fastened to a back wall of the body portion to allow a user to open and close the flap, and the flap is positioned between the back wall of the body portion and a surface of the interior portion of the vehicle.

Applicant respectfully submits that Schofield, when taken alone, or in combination with Wong, Perkins and/or Klein does not disclose or suggest the strap configuration or the membrane as claimed.

Claims 1 and 23

Perkins Does Not Disclose Top And Bottom Sides That Include Respective Holes Therein For Receiving The At Least One Strap Therethrough

In rejecting claims 1 and 23, the Examiner maintains that Perkins, at Fig.1, elements 18 and 22, and col. 3, lines 42-46, teaches the top and bottom sides that include respective holes therein for receiving the at least one strap therethrough.

Applicant disagrees with the Examiner, and traverses the rejection.

Referring, for example, to Fig. 3C of Applicant's disclosure, a strap 15 passes through a groove 17 formed by front and back walls 11 and 12, wherein top and bottom sides include respective holes therein for receiving the strap 15 therethrough.

In contrast to the claimed embodiments, the cited portion of Perkins does not show these features. In Perkins, the straps 18 and 22 are attached to an outside of the harness 12 by stitching 26, and never pass through a hole in either a top or bottom side,

or a left or right side of the harness. Indeed, referring to the cited portion of Perkins, there are no holes through which the straps 18 and 22 pass.

The Use Of The Top And Bottom Sides Is Not A Design Choice

The Examiner acknowledges that Perkins does not teach straps coming from a top or bottom, and states that the straps in Perkins project from the sides of the harness. However, the Examiner maintains that use of the top or bottom versus the sides is a design choice. Applicant respectfully disagrees.

Applicant's disclosure states that "the straps 15 may run from the display device in vertical, horizontal, or diagonal directions depending on the configuration of the object to which the display device is to be mounted. See Applicant's disclosure, page 9, lines 15-18. Claims 1 and 23 state that the display device is mounted to a visor. Straps running from the top and bottom as claimed create a more stable mounting structure for a visor than straps running from left and right sides. For example, when the visor is in the open position, straps running horizontally must fight the force of gravity, and may slip downward so that the device can fall into a user's lap, creating a potentially dangerous situation. However, straps running from the top and/or bottom do not fight gravity, and will not slip downward so that the device will not fall into a user's lap. Accordingly, Applicant submits that the straps running from the top or bottom is not merely a design choice, and provides a more stable mounting structure.

Accordingly, for at least these reasons, Applicant respectfully submits that claims 1 and 23 are patentable over Schofield, when taken alone, or in combination with Wong and/or Perkins.

In addition, for at least the reason that claims 4-6 and 9-22 depend from claim 1,

and claims 24-28 depend from claim 23, claims 4-6, 9-22 and 24-28 are also submitted to be patentable over the cited references, claims 2 and 3 having been canceled.

Claim 32

The cited references do not disclose or suggest the claimed membrane that includes a flap that is opened to provide an opening between one of the top, bottom, left and right sides of the body portion and the membrane through which the video display device is placed in the structure, and wherein the flap wraps around part of the body portion to close the opening, wherein the flap is removably fastened to a back wall of the body portion to allow a user to open and close the flap, and the flap is positioned between the back wall of the body portion and a surface of the interior portion of the vehicle.

For example, Applicant's disclosure states that the membrane 125 includes a flap 126 which wraps around a top portion of the body portion 105 and adheres to a back side 112 of the body portion 105 to close the opening between the top side of the body portion 105 and the membrane 125. The flap adheres to the back side 112 with a fastening means capable of being opened and closed. See, e.g., Applicant's disclosure, ¶ 0043, and Figs. 5B-5E. Further, as can be understood from Figs. 5B and 5C, when in the mounted position, the flap 126 is positioned between the back side 112 of the body portion 105 and the surface of the portion of the vehicle (*e.g.*, a visor) to which the structure is mounted.

In contrast to the claimed embodiment, Klein does not include the claimed flap that is positioned between the back wall of the body portion and a surface of the interior portion of the vehicle.

Furthermore, in contrast to the Examiner's assertions, the flap configuration is not a mere design choice. For example, locating the flap between the back wall of the body portion and a surface of the interior portion of the vehicle to which is structure is mounted creates a more stable mounting configuration than if the flap were not between the body portion and the mounting surface. The flap configured as claimed is pressed on both sides thereof by the mounting surface and the body portion, respectively. Accordingly, due to the pressure on both sides, the flap is less prone to open or become dislodged from the closed position, whereas a flap that is not configured as claimed, can more easily become dislodged due to the motion of the vehicle or a bumpy road. As such, Applicant submits that the flap configured as claimed is not a mere design choice.

Accordingly, for at least these reasons, Applicant respectfully submits that claim 32 is patentable over Schofield, when taken alone, or in combination with Wong and/or Klein.

In addition, for at least the reason that claims 33-41 and 45-55 depend from claim 32, claims 33-41 and 45-55 are also submitted to be patentable over the cited references.

As such, Applicant respectfully requests that the Examiner withdraw the rejections of claims 1-6, 9-28, 32-41 and 45-55 under 35 U.S.C. § 103(a).

DEPENDENT CLAIMS

Applicant has not independently addressed the rejections of all the dependent claims because Applicant submits that, in view of the amendments to the claims presented herein and, for at least similar reasons as why the independent claims from

which the dependent claims depend are believed allowable as discussed, *supra*, the dependent claims are also allowable. Applicant however, reserves the right to address any individual rejections of the dependent claims should such be necessary or appropriate.

An early and favorable reconsideration is earnestly solicited. If the Examiner has any further questions or comments, the Examiner may telephone Applicant's Attorney to reach a prompt disposition of this application.

Respectfully submitted,

A handwritten signature in cursive script, reading "Michael F. Morano", written in dark ink.

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